

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Ron Carpenter,)	
)	
Plaintiff,)	SECOND ORDER TO APPEAR
)	AND SHOW CAUSE
vs.)	
)	
Last Chance Saloon, Inc., a corporation)	
doing business in North Dakota and)	
Joshua Luger,)	
)	Case No. 1:12-cv-127
Defendants.)	

On November 15, 2013, the court issued an order requiring attorney William J. Delmore, counsel of record for defendant Joshua Luger, to personally appear before the undersigned in Bismarck on November 26, 2013 at 11:30 a.m. CST to (1) show cause why the undersigned should not recommend to Chief Judge Erickson that his privileges to practice in federal court be suspended; (2) clarify the current status of his representation of defendant Luger; and (3) provide a mailing address for defendant Luger in the event the court needs to direct future orders to him personally. Electronic notice of the filing was sent to attorney Delmore's email address of record with this court, which is the same email address listed on the North Dakota Supreme Court's website. On November 26, 2013, attorney Delmore failed to appear as ordered.

The court again notes that attorney Delmore's failure to meaningfully participate in the litigation to this point leaves the court and the other attorneys in a difficult position going forward in this case. In order to give attorney Delmore every opportunity to appear and provide the court with information regarding the status of his representation of defendant Luger, the court **ORDERS** attorney Delmore to personally appear before the undersigned on December 5, 2013 at 11:30 a.m. CST in Bismarck Courtroom 2 to address the three issues identified in the court's previous order.

In addition, the court **ORDERS** the Clerk's Office to mail paper copies of this order and the court's previous order to appear and show cause (Document No. 25) to attorney Delmore's business address of record with this court and on the North Dakota Supreme Court's website, which is 200 West Main Avenue, Suite 4, Bismarck, ND 58501 and to attorney Delmore's home address listed in the phonebook, which is 825 N Griffin Street, Bismarck, ND 58501.

IT IS SO ORDERED.

Dated this 26th day of November, 2013.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court